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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SEAT SACK, INC.,

Plaintiff,

-against-

**NOTICE OF CROSS-MOTION**

CHILDCRAFT EDUCATION CORP.;  
US OFFICE PRODUCTS COMPANY;  
US OFFICE PRODUCTS NORTH  
ATLANTIC DISTRICT, INC.; and  
SCHOOL SPECIALTY, INC.,

Case No. 07-CV-3344 (RJH)(DFE)

Defendants.

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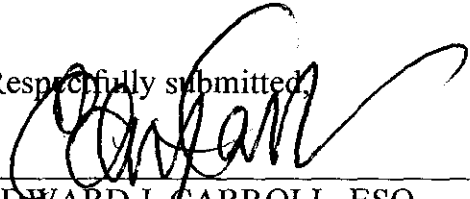
SIRS:

PLEASE TAKE NOTICE, that upon the annexed Affidavit of EDWARD J. CARROLL, ESQ., sworn to on the 24th day of July, 2007, the Affidavit of Ann McAlear, sworn to on the 21<sup>st</sup> day of March, 2007, the exhibits submitted in support thereof, and the accompanying Memorandum of Law, and upon all the pleadings filed herein, plaintiff, SEAT SACK, INC., will cross-move this Court, before the HONORABLE RICHARD J. HOLWELL, United States District Judge, in the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom

17B, New York, New York 10007-1312, on the 8<sup>th</sup> day of August, 2007, or any date thereafter convenient to the Court and parties, for an Order, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure granting plaintiff a preliminary injunction, during the pendency of this action, enjoining the defendant(s) from (a) advertising, marketing and/or selling their product known as "Seat Pocket", either on the wholesale, or retail market, and/or (b) continuing their deceptive trade practices of (1) artificially inflating the sale price of plaintiff's "Seat Sack" to induce sales of "Seat Pocket"; and/or (2) operating their website which, when a general consumer searches for "Seat Sack", transfers that consumer to a "Seat Pocket" under conditions which mislead and/or confuse the public; and/or (3) advertising defendants' "Seat Pocket" as a "Seat Sack cc edu"; and/or (4) in any manner competing with plaintiff's product "Seat Sack", together with such other and further relief as to the Court may deem just and proper under the circumstances.

Dated: July 24, 2007

Respectfully submitted,



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